

REMARKS

This application has been reviewed in light of the Office Action dated December 9, 2003. Claims 25-31 are presented for examination, of which Claims 25 and 29 are in independent form. Claim 29 has been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

Claims 25-31 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,598,533 (*Yokota et al.*).

Applicant respectfully traverses this rejection, and submits that independent Claims 25 and 29, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 25 is a method of controlling a data communication apparatus in a data processing system that includes the data communication apparatus and a host computer connected to the data communication apparatus by an interface. The method includes a communication step, a checking step, a determination step, and a notification step. The communication step communicates commands from the host computer to the data communication apparatus through an interface, where the data communication apparatus is comprised of units including a scanner, a printer, a storage unit, a line, and a logic ID unit. The checking step checks, upon receipt of the commands by units of the data communication apparatus, operating conditions of the data communication apparatus. The determination step determines which units of the data communication apparatus the commands are issued to, and the notification step notifies the host computer of the operating conditions in accordance with the commands from the host computer.

A notable feature of Claim 25 is checking, upon receipt of the commands by units of the data communication apparatus, operating conditions of the data communication apparatus.

Yokota et al. relates to a compound electronic apparatus having a general purpose personal computer and a facsimile unit, which is compatible with the general personal computer. The compound electronic apparatus includes a group of ports and a common memory, which are provided between the personal computer and the facsimile unit and are used to transmit and receive various data.

The Office Action cites column 5, lines 1-7, column 6, lines 9-47, and column 9, line 64, to column 10, line 35, of *Yokota et al.* as disclosing the “checking” feature of Claim 25. Applicant respectfully disagrees. The cited portions of *Yokota et al.* merely discuss data transmission and reception whereby CPU 20 on the transmission side of a command data waits until the CPU 10 (of the personal computer) on the reception side of the command data is set to a receivable state. Further, column 9, line 64, to column 10, line 35, discusses a case where the personal computer outputs print data to printer port 35 (column 9, lines 33-35). However, nothing has been found, or pointed out, in *Yokota et al.* that would teach or suggest checking, upon receipt of the commands by units of the data communication apparatus, operating conditions of the data communication apparatus, as recited in Claim 25.

Because *Yokota et al.* fails to check the operation conditions of the data communication apparatus upon receipt of the commands by units of the data communication apparatus, *Yokota et al.* also fails to notify the host computer of the operating conditions in accordance with the commands from the host computer. The Office Action cites column 5, lines 1-18, column 6, lines 9-47, and column 9, line 64, to column 10, line 35, seen in step S19 of

Figure 7B of *Yokota et al.* as disclosing the notification feature of Claim 25. Applicant again respectfully disagrees. Step S19 of Figure 7B merely informs the personal computer that the temporary file, storing image data that is encoded into MH data, is full and is a first time file. Nothing has been found, or pointed out, in *Yokota et al.* that would teach or suggest notifying the host computer of the operating conditions in accordance with the commands from the host computer, as recited in Claim 25.

For at least the above reasons, Applicant submits that Claim 25 is not anticipated by *Yokota et al.*

Independent Claim 29 includes a feature similar to that discussed above, of checking, upon receipt of the commands by units of the data processing apparatus, operating conditions of the data processing apparatus, and notifying the host computer of information in accordance with the commands received. Therefore, Claim 29 also is believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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